

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:21-cv-00332-MR

COLONIAL LIFE & ACCIDENT)
INSURANCE COMPANY,)
Plaintiff,)
vs.) ORDER
PAULA G. BRYANT, PENNY B.)
PENDERGRASS, BRIAN HAMBY,)
RYAN HAMBY, and KENNETH)
HAMBY,)
Defendants.)

)

THIS MATTER is before the Court on the Plaintiff's Motion for Discharge, Injunctive Relief, and Dismissal with Prejudice [Doc. 13].

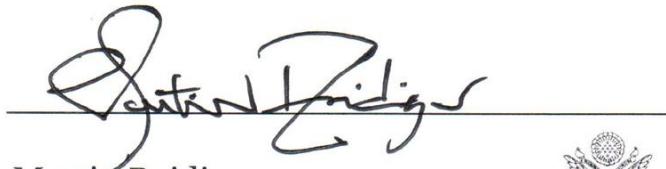
The Plaintiff and Stakeholder in Interpleader, Colonial Life & Accident Insurance Company, moves for an Order dismissing it from this action with prejudice, with full and complete discharge from any liability to any of the Defendants/potential Claimants in Interpleader related to the subject matter of this lawsuit, and enjoining the Defendants from initiating any action against the Plaintiff for recovery of benefits. [Doc. 13]. The docket reflects, however, that none of the Defendants/potential Claimants in Interpleader has

answered or otherwise responded to the Plaintiff's Complaint. Accordingly, the Court finds that the Plaintiff's motion is premature.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion for Discharge, Injunctive Relief, and Dismissal with Prejudice [Doc. 13] is **DENIED WITHOUT PREJUDICE** as premature.

IT IS SO ORDERED.

Signed: March 2, 2022



Martin Reidinger
Chief United States District Judge

